

EV052702313
#5

1 THE UNITED STATES PATENT AND TRADEMARK OFFICE

2 Serial No. 09/817,902
3 Filing Date 03/26/01
4 Inventorship Novak et al.
5 Applicant Microsoft Corporation
6 Attorney's Docket No. MS1-786US
7 Title: Methods and Systems for Synchronizing Visualizations with Audio Streams

RENEWED PETITION UNDER 37 C.F.R. 1.47(a)

8 Applicant previously filed a petition on November 29, 2001 indicating that a joint
9 inventor, Mr. Chris Feller, had indicated that he did not intend to sign the oath or
10 declaration in this application. Subsequently, a Decision Refusing Status was issued by
11 the Patent Office because, *inter alia*, it had not been demonstrated that there had been a
12 bona fide attempt to provide the inventor with a copy of the application papers. In
13 accordance with the statements below, and the accompanying email copy, Applicant
14 respectfully requests reconsideration of the Decision Refusing Status.

- 15 1. Attached to this Renewed Petition is a copy of an email thread between Applicant
16 and the non-signing inventor, Chris Feller.
- 17 2. On November 7, 2001, Jane Stafford, an employee in Applicant's legal
18 department, sent Chris Feller an email notification having attached the subject
19 patent application bearing attorney docket number ms1-786.
- 20 3. On November 8, 2001, Mr. Feller responded that "[u]pon further reflection, I'm
21 going to decline signing the patent application. You can remove my name from
22 them."

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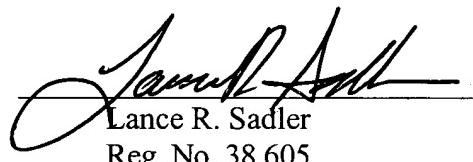
Hence, in view of the above statements and accompanying email thread,
1
Applicant made an attempt to provide the non-signing inventor with a copy of the
2
patent application. That copy was sent via email and received by the inventor.
3
The inventor then subsequently responded that he would not sign the application.
4

I hereby declare that the statements made herein of my own knowledge are true.
6

It is respectfully requested that this Renewed Petition under 37 C.F.R. 1.47(a) be
7
granted.
8

Respectfully submitted,
10
11

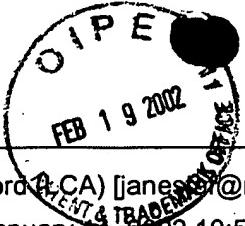
Date: 2/18/02



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Dana Calhoun



From: Jane Stafford (LCA) [janestaff@microsoft.com]
Sent: Monday, January 14, 2002 10:59 AM
To: Dana Calhoun
Subject: FW: Patent Applications 94188.1 150644.1

-----Original Message-----

From: Chris Feller [mailto:brataccas@mac.com]
Sent: Thursday, November 08, 2001 7:50 AM
To: Jane Stafford (LCA)
Subject: Re: Patent Applications 94188.1 150644.1 150649.1

Hi Jane,

Please disregard my last mail. Upon further reflection, I'm going to decline signing the patent application. You can remove my name from them.

Thanks!

Chris

On Wednesday, November 7, 2001, at 04:29 PM, Jane Stafford (LCA) wrote:

Hi Chris. Attached are the two (sorry, I said three on the phone) patent applications on which you were listed as an inventor. If you could provide me with your mailing address and your citizenship I can complete this information on the formal papers prior to your signing. I am not sure if you've been on applications w/Microsoft before, but a VERY brief description of the formal papers: Each application has two papers to be signed, The Assignment and The Declaration. Essentially (although you will still read prior to signing) The Assignment assigns your invention to Microsoft, while The Declaration declares you as an inventor.

Please let me know what times will work for you. I can leave the papers with our receptionist if I am not here. Let me know if you have any questions.

<<ms1-788us.pat.app.doc>> <<ms1-788us.drawing.vsd>> <<ms1-786us.p01.doc>> <<ms1-786us.drawing.vsd>>

Thanks.

Jane Stafford

Patent Group 113/1118

425.705.5314

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PTO/SB/17 (10-01)

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$)

Complete if Known

Application Number	09/817,902
Filing Date	Mar 26, 2001
First Named Inventor	Dideriksen
Examiner Name	
Group Art Unit	
Attorney Docket No.	MS1-786US

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **12-0769**
 Deposit Account Name **Lee & Hayes, PLLC**

Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17

Applicant claims small entity status.
See 37 CFR 1.27

2. Payment Enclosed:

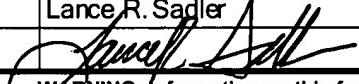
Check Credit card Money Order Other

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee (\$)	Fee Description	Fee Paid
105	130	205	65 Surcharge - late filing fee or oath	
127	50	227	25 Surcharge - late provisional filing fee or cover sheet	
139	130	139	130 Non-English specification	
147	2,520	147	2,520 For filing a request for ex parte reexamination	
112	920*	112	920* Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840* Requesting publication of SIR after Examiner action	
115	110	215	55 Extension for reply within first month	
116	400	216	200 Extension for reply within second month	
117	920	217	460 Extension for reply within third month	
118	1,440	218	720 Extension for reply within fourth month	
128	1,960	228	980 Extension for reply within fifth month	
119	320	219	160 Notice of Appeal	
120	320	220	160 Filing a brief in support of an appeal	
121	280	221	140 Request for oral hearing	
138	1,510	138	1,510 Petition to institute a public use proceeding	
140	110	240	55 Petition to revive - unavoidable	
141	1,280	241	640 Petition to revive - unintentional	
142	1,280	242	640 Utility issue fee (or reissue)	
143	460	243	230 Design issue fee	
144	620	244	310 Plant issue fee	
122	130	122	130 Petitions to the Commissioner	
123	50	123	50 Processing fee under 37 CFR 1.17(q)	
126	180	126	180 Submission of Information Disclosure Statement	
581	40	581	40 Recording each patent assignment per property (times number of properties)	
146	740	246	370 Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370 For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370 Request for Continued Examination (RCE)	
169	900	169	900 Request for expedited examination of a design application	
Other fee (specify) _____				

*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$)

SUBMITTED BY		Complete (if applicable)		
Name (Print/Type)	Lance R. Sadler	Registration No. (Attorney/Agent)	38,605	Telephone (509) 324-9256
Signature		Date	2/18/02	

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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Please type a plus sign (+) inside this box → +

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	09/817,902
		Filing Date	Mar 26, 2001
		First Named Inventor	Dideriksen
		Group Art Unit	
		Examiner Name	
Total Number of Pages in This Submission		Attorney Docket Number	MS1-786US

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s) Sheets	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Renewed Petition Under 37 C.F.R. 1.47(a) Return Post Card
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Lance R. Sadler
Signature	
Date	2/18/02

CERTIFICATE OF EXPRESS MAILING

I hereby certify that the items listed above as enclosed are being deposited with the U.S. Postal Service as Express Mail, in an envelope addressed to The Commissioner of Patents and Trademarks, Washington, D.C. 20231, on the below-indicated date. The Express Mail No. has also been marked on the listed items.

Express Mail No.

E1052702313

Typed or printed name	Dana L. Calhoun		
Signature		Date	2/19/02

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